

Practitioner's Docket No. 832_001 DIV 3

PATENT

NEW APPLICATION TRANSMITTAL

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 11, 2004 under "EXPRESS MAIL" mailing label number EV 44336 7699 US.

Janet M. Stevens

22858 U.S. PTO
10/798857

Transmitted herewith for filing is the patent application of:

Inventor 1: James F. Brown
Address: 6500 Hanover Heights Trail
Clifton, Virginia 22024

TITLE: METHOD FOR DETECTING THE PRESENCE OF A SINGLE TARGET NUCLEIC ACID IN A SAMPLE

1. Type of Application

This is a request for filing a ***DIVISIONAL APPLICATION*** under 37 C.F.R. §1.53(b), of pending prior application:

Serial No.:	10/131,854	Prior Art Unit:	1641
Filed:	April 25, 2002	Prior Examiner:	Christopher L. Chin
Title:	MINIATURIZED ASSEMBLY AND METHOD OF FILLING ASSEMBLY		
Inventor:	James F. Brown		

2. Papers Enclosed

A. Required for filing date under 37 CFR 1.53(b) (Regular) are:

<u>90</u>	Page(s) of Specification
<u>2</u>	Page(s) of Sequence Listing
<u>3</u>	Page(s) of Claims
<u>1</u>	Page(s) of Abstract
<u>7</u>	Sheets of Formal Drawings (Figs. 1-14)

B. Other Papers Enclosed

☒ A Patent Application Bibliographic Data Sheet
☒ Declaration and Power of Attorney
☒ A Preliminary Amendment
☒ Information Disclosure Statement
☒ Form PTO-1449

3. The correspondence address for this application is: Customer No. 025191

Telephone: (315) 233-8300
Facsimile: (315) 233-8320

Electronic Mail: lvanantwerp@burrandbrown.com

4. Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)

- ☐ Applicants hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.
- ☐ Applicants hereby request that the attached application **not** be published under 35 U.S.C. 122(b).

5. Relate Back**A. 35 U.S.C. 119(e)**

- ☐ Priority of provisional application Serial No. filed , is hereby claimed under 35 U.S.C. §119(e).

B. 35 U.S.C. 120, 121 and 365(c)

- ☒ Priority of said prior application(s) is hereby claimed under 35 U.S.C. §120.

<u>Application Number</u>	<u>Filing Date</u>	<u>Relationship</u>
10/131,854	April 25, 2002	Parent
09/563,714	May 2, 2000	Grandparent
08/838,262	April 17, 1997	Great-Grandparent

C. 35 U.S.C. 119 Priority Claim for Prior Application

- ☐ Priority of foreign application(s) is hereby claimed under 35 U.S.C. §119 as follows:

6. The filing fee has been calculated as shown below:

Basic Filing fee (37 CFR §1.16(a))				\$ 770.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	4 - 20 =	0	× \$ 18.00	
Independent Claims	4 - 3 =	1	× \$ 86.00	86.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 856.00
[X] Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 428.00
TOTAL FEES DUE =				\$ 428.00

7. Payment of Fees and Authorization to Charge Additional Fees or Credit Overpayment

- [X] A check in the amount of \$428.00 is enclosed.
- [X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446. A duplicate copy of this sheet is enclosed.
- [X] Any additional filing fees required under 37 CFR 1.16.
- [X] Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

March 11, 2004

Date



Kevin C. Brown
Reg. No. 32,402

KCB:jms

BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 025191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320